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	Application No.	Applicant(s)	
	09/919,022	BAERLOCHER ET A	71
Notice of Allowability	Examiner	Art Unit	
	Jessica J. Harrison	3714	
The MAILING DATE of this communication appeal claims being allowable, PROSECUTION ON THE MERITS IS nerewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT Ref the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this a or other appropriate communication IGHTS. This application is subject 3 and MPEP 1308.	pplication. If not include on will be mailed in due	ed course. THIS
. Mail This communication is responsive to FILING RCE/131 AF	<u>FADAVIT</u> .		
2. ☑ The allowed claim(s) is/are <u>1-49</u> .			
Acknowledgment is made of a claim for foreign priority up a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 3. A SUBSTITUTE OATH OR DECLARATION must be submin INFORMAL PATENT APPLICATION (PTO-152) which giv CORRECTED DRAWINGS (as "replacement sheets") must be submin to the province of Draftman.	e been received. e been received in Application No. comments have been received in this of this communication to file a repl MENT of this application. nitted. Note the attached EXAMINE res reason(s) why the oath or decla st be submitted.	s national stage applicarly complying with the rec	quirements
(a) including changes required by the Notice of Draftsper		O-948) attached	
1) hereto or 2) to Paper No./Mail Date		Office and have of	
(b) including changes required by the attached Examiner Paper No./Mail Date			
Identifying indicia such as the application number (see 37 CFR each sheet. Replacement sheet(s) should be labeled as such in	1.84(c)) should be written on the draw the header according to 37 CFR 1.12	wings in the front (not the 1(d).	: back) of
 DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT 	osit of BIOLOGICAL MATERIAL FOR THE DEPOSIT OF BIOLOGI	_ must be submitted. I ICAL MATERIAL.	Note the
Attachment(s) 1. □ Notice of References Cited (PTO-892)	5 ☐ Notice of Informal	Patent Application (PT	O-152)
 Notice of References Cited (P10-032) Notice of Draftperson's Patent Drawing Review (PT0-948) 	6. 🔲 Interview Summa	ry (PTO-413),	,
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/	Paper No./Mail D	Date	
Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit		ment of Reasons for Allo	owance
of Biological Material	9.	Ala	

Jessica J. Harrison Primary Examiner Art Unit: 3714 Art Unit: 3714

Examiner's Comment

The affidavit/evidence submitted February 25, 2005 is deemed sufficient to overcome prior art of record and particularly the Jaffe reference.

Additionally, it establishes a priority date prior to all other close prior art of record. Accordingly this application is being passed to allowance as the record fails to reflect any other dated prior art which would bar patentability.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica J. Harrison whose telephone number is 571-272-4449. The examiner can normally be reached on M-F during business hours.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jessica J. Harrison Primary Examiner Art Unit 3714